

REMARKS

Claims 1-41 are in the application. Claims 1, 14, and 27 are currently amended; claim 12 was previously presented; and claims 2-11, 13, 15-26, and 28-41 remain unchanged from the original versions thereof. Claims 1, 14, and 27 are the independent claims herein. Reconsideration and further examination are respectfully requested.

Each of the independent claims 1, 14, and 27 relates to searching a network for sensor measurements associated with a location and acquiring from the network a plurality of sensor measurements associated with the location. Claims 1, 14, and 27 are currently amended to clarify that the plurality of sensor measurements are measurements obtained from a plurality of sensors associated with a plurality of entities. That is, sensor measurements are obtained from a plurality of sensors that are associated with a plurality of entities. Support for the currently submitted amendments may be found in the published patent application at least at paragraphs [0020] and [0027].

No new matter is added to the application.

Claim Rejections Under 35 USC § 102(b)

Claims 1-41 were rejected as being anticipated by U.S. Patent No. 5,959,529 to Kail, IV (hereinafter, Kail). This rejection is respectfully traversed.

Applicants' arguments of record are incorporated herein.

Regarding the rejection of independent claims 1, 14, and 27 (grouped and discussed together in the rejection of record), Applicants respectfully submit that the cited and relied upon Kail does not disclose each and every element of the claims. Claims 1, 14, and 27 are currently amended to clearly and concisely state that they relate to searching a network for sensor measurements associated with a location and acquiring from the network a plurality of sensor measurements associated with the location wherein the plurality of sensor measurements are measurements obtained from

a plurality of sensors associated with a plurality of entities. That is, a plurality of sensors associated with a plurality of entities provide a plurality of sensor measurements.

Applicants' specification fully supports the current claim amendments. For example, paragraph [0020] states, "[A] plurality of sensor measurements is acquired in step S2. The plurality of sensor measurements comprises measurements obtained by two or more entities. For example, one of the acquired sensor measurements may be wind data measured by a wind gauge operated by the National Weather Service while another one of the measurements may be video data measured by a video camera operated by a retailer situated at the location." Thus, one of the examples in the specification discloses, similar to Applicants' claims, a plurality of sensor measurements (e.g., wind data and video data) are measurements obtained from a plurality of sensors (e.g., a wind gauge and a video camera) associated with a plurality of entities (e.g., National Weather Service, and a retailer situated at the location).

Applicants' respectfully submit that the claimed "plurality of entities" and "plurality of sensors" associated therewith are not the same and do not refer to each other. However, the Office Action does not appear to appreciate the difference between the claimed plurality of sensors and the claimed plurality of entities associated therewith. This fact was noted in Applicants' initial Response and Amendment dated October 29, 2004 and is reiterated herein. Further, the current Office Action states that Applicants' statement (from the Response and Amendment dated October 29, 2004) that "[K]ail does not disclose or suggest associating sensors from a plurality of separate and distinct portable monitoring units (i.e., entities) with a single subject (location)" is irrelevant since the Office Action argues that Kail discloses associating a plurality of sensors with a single object or location. [E]ach sensor can clearly be regarded as an entity that obtains measurements." (emphasis added) Clearly, the Office Action erroneously considered the claimed "plurality of sensors" and the claimed "plurality of entities" as one and the same, failing to give each claimed aspect the proper and fair meaning the plain language of the claims warrants.

Thus, it is clear that the Office did not properly afford the claimed aspects or the claims their proper meaning since the original claim language, specification, and drawings, individually and collectively, were directed to a method, a medium, and an apparatus wherein the claimed plurality of sensors” and “plurality of entities” are not the same. However, in an effort to advance prosecution of the present application, Applicants submit herewith amended claims 1, 14, and 27 to clarify that which is claimed by Applicants.

Furthermore, with regard to the cited and relied upon Kail, Applicants note that Kail appears to disclose an apparatus and method for remotely monitoring the status of a living or inanimate subject. The Kail disclosed apparatus includes a portable monitoring unit having at least one sensor associated with the subject and a central monitoring device that may communicate with a number of the portable monitoring units. (See Kail, col. 1, ln. 66 - col. 3, ln. 11.) The number of sensors 28, including internal sensor 28a and external sensor 28b, associated with a particular subject (or subject location) are collectively associated with a single, common portable monitoring unit 12. (See Kail, FIGS. 1, 2, and col. 4, ln. 10-41) Kail also discloses that a central monitoring device 14, including wireless connected central monitoring device 14a and landline connected central monitoring device 14b, may monitor many different portable monitoring units 12.

While Kail discloses that a central monitoring device 14 may monitor many different portable monitoring units 12, there is no disclosure or suggestion by Kail that the plurality of sensor measurements associated with a particular subject (location) are obtained by a plurality of entities (e.g., a monitoring unit or a central monitoring point) associated with the disclosed plurality of sensors 28. That is, Kail does not disclose or suggest acquiring from a network a plurality of sensor measurements associated with a location, wherein the plurality of sensor measurements are measurements obtained from a plurality of sensors associated with a plurality of entities. Each monitoring unit discloses a (potential) number of sensors 28 associated with that particular (i.e., one) monitoring unit. Also, Kail only discloses a single Central Monitoring Device.

Therefore, it is clear Kail does not disclose or suggest Applicants' claimed plurality of sensor measurements obtained from a plurality of sensors associated with a plurality of entities. Kail only discloses a plurality of sensor measurements that may be obtained from a plurality of sensors associated with a single entity. This is true whether the entity is a monitoring unit or a Central Monitoring Device.

Kail discloses a monitoring apparatus wherein measurements associated with a location are acquired by a single portable remote monitoring unit. Kail does not disclose or suggest associating sensors from a plurality of separate and distinct portable monitoring units (i.e., entities) with a single subject (location). Thus, it should be clear that Kail fails to disclose, at least, acquiring from a network a plurality of sensor measurements associated with the location, wherein the plurality of sensor measurements are measurements obtained by a plurality of sensors associated with a plurality of entities.

Accordingly, Applicants respectfully submit that claims 1, 14, and 27 are patentable over the cited and relied upon Kail under 35 USC 102(b) for at least the reasons stated hereinabove. Claims 2-13 depend from claim 1, claims 15-26 depend from claim 14, and claims 28-39 depend from claim 27. Applicants respectfully submit that claims 2-13, 15-26, and 28-39 are patentable over the cited and relied upon Kail under 35 USC 102(b) for at least the same reasons stated above regarding claims 1, 14, and 27, respectively.

Moreover, Applicants respectfully request the entry of the currently amended claims inasmuch as the amendments are provide to clarify that which is claimed and the remarks herein are consistent with those previously filed with the Office.

Regarding the rejection of claim 40, directed to a system to acquire location information, Applicants respectfully submit that claim 40 relates to a system wherein an identified plurality of sensor measurements are measurements obtained by a plurality of entities. Thus, claim 40 is worded similarly to claims 1, 14, and 27 with respect to the 35 USC 102(b) rejection and detailed discussion of same hereinabove. Again, the cited

and relied upon Kail fails to disclose, at least, an apparatus or a system for acquiring a plurality of sensor measurements associated with a location from a network, where the identified plurality of sensor measurements are measurements obtained by a plurality of entities. Accordingly, Applicants respectfully request the reconsideration and withdrawal of the 35 USC 102(b) rejection of claim 40.

Claim 41 depends from claim 40. Applicants submit that claim 41 is patentable over Kail for at least the same reasons stated above regarding claim 40.

Therefore, the reconsideration and withdrawal of the 35 USC 102(b) rejection of claims 40 and 41 are requested, as is the allowance of claims 40 and 41.

CONCLUSION

Accordingly, Applicants respectfully and earnestly solicit the allowance of claims 1-41. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-5985.

Respectfully submitted,

April 13, 2005
Date



Randolph P. Calhoun
Registration No. 45,371
Buckley, Maschoff & Talwalkar LLC
Five Elm Street
New Canaan, CT 06840
(203) 972-5985